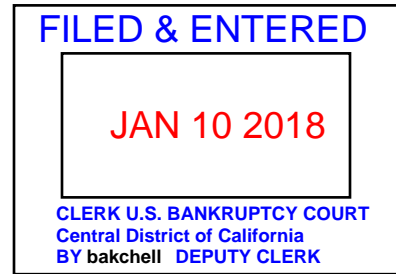


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CHANGES MADE BY COURT

NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re

Jasmine Lepe,

Debtor.

Case No. 2:17-bk-20482-RK

Chapter 7

**ORDER DENYING DEBTOR'S MOTION
FOR DAMAGES AND SANCTIONS
AGAINST WELLS FARGO BANK**

Jasmine Lepe,

Movant,

vs.

Wells Fargo Dealer Services, a division of
Wells Fargo Bank, N.A.,

Respondent.

Date: January 9, 2017

Time: 2:30 p.m.

Ctrm.: 1675

On January 9, 2018, the Court held hearing on the motion of debtor Jasmine Lepe ("Debtor") for sanctions and damages against respondent Wells Fargo Dealer Services, a division of Wells Fargo Bank, N.A. ("Wells Fargo"). The motion was opposed by Wells Fargo. Wells Fargo appeared through its counsel of record, Bernard J. Kornberg of Severson & Werson, P.C. Debtor who appeared for herself, stating that her bankruptcy counsel was not representing her at the hearing and that she was representing herself at the hearing. The Court, after considering the

1 arguments made in the papers and at the hearing, adopted its tentative ruling and denied the
2 motion.

3 **FINDINGS OF FACTS AND CONCLUSIONS OF LAW**

4 The Court finds and concludes that Debtor lacks standing to sue for stay violations in a
5 Chapter 7 bankruptcy case since only the Chapter 7 trustee has standing to assert violations of stay
6 as to estate property, such as the subject vehicle. *In re Mwangi*, 764 F.3d 1168, 1171 (9th Cir.
7 2014), *cited with approval in, In re Perry*, 2017 WL 1276075 (C.D. Cal. 2017).

8 **ORDER**

9 It is hereby ordered that Debtor's Motion for Sanctions against Wells Fargo is denied for
10 lack of standing to seek the requested relief.

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24 Date: January 10, 2018



Robert Kwan
United States Bankruptcy Judge